



# Town of Groton, Connecticut

## Meeting Minutes

### Town Council Committee of the Whole

45 Fort Hill Road  
Groton, CT 06340-4394  
Town Clerk (860)441-6640  
Town Manager  
(860)441-6630

**Mayor Harry A. Watson, Councilors Kathryn M. Brown-Tracy, Bruce S. Flax, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Rita M. Schmidt, and Paulann H. Sheets**

**Tuesday, May 12, 2009**

**6:00 PM**

**Town Hall Annex - Community Room 1**

#### **SPECIAL MEETING**

#### **1. CALL TO ORDER**

*Mayor Watson called the meeting to order at 6:02 p.m.*

#### **2. ROLL CALL**

Members Present: Mayor Watson, Councilor Flax, Councilor Kolnaski, Councilor O'Beirne, Jr., Councilor Schmidt and Councilor Sheets

Members Absent: Councilor Brown-Tracy and Councilor Monteiro

*Also present were Town Manager Mark Oefinger, Assistant to the Town Manager Lee Vincent and Executive Assistant Nicki Bresnayan.*

#### **3. Calendar and Communications**

*None.*

#### **4. Approval of Minutes**

##### **2009-0122 Approval of Minutes (Committee of the Whole)**

##### **RESOLUTION ACCEPTING COMMITTEE OF THE WHOLE MINUTES**

RESOLVED, that the minutes of the Town Council Committee of the Whole meeting of April 28, 2009 are hereby accepted and approved.

##### **Discussed**

*A motion was made by Councilor Schmidt, seconded by Councilor Kolnaski to adopt. Councilor Sheets suggested a number of revisions to the minutes. The consensus of the Council was to have staff review the videotape of the meeting to clarify the statements made by Councilor Sheets. The motion and second were withdrawn, and consideration of the minutes was tabled to the next meeting.*

*Councilor Brown-Tracy arrived at 6:10 p.m.*

**Roll Call:** Members Present: Mayor Watson, Councilor Brown-Tracy, Councilor Flax, Councilor Kolnaski, Councilor O'Beirne, Jr., Councilor Schmidt and Councilor Sheets  
Members Absent: Councilor Monteiro

#### **5. NEW BUSINESS**

##### **2009-0076 Update of the Debt Policy and Management/Fiscal Practices**

##### **Discussed**

*Director of Finance Sal Pandolfo provided a brief overview of this issue and the modifications that were made since the last Committee of the Whole review. Councilor Sheets understands the Town Manager's prudence in setting the fund balance higher, however she noted that the rating agencies seem to hold municipalities to a higher standard than private companies.*

**A motion was made by Councilor Kolnaski, seconded by Councilor Brown-Tracy, that this matter be Recommended for a Resolution.**

**The motion carried unanimously**

**2009-0120      FYE 2009 Suspense List****Discussed**

*Director of Finance Sal Pandolfo noted this is an annual request to add delinquent accounts to the suspense list. For FYE 2009, the list totals \$646,433.83. The suspense list is still collectable, but the Town does not have to mail out bills. The Tax Collector is also proposing a change in the criteria used to suspend delinquent Motor Vehicle and Personal Property accounts. Discussion followed on the collection rate.*

**A motion was made by Councilor Schmidt, seconded by Councilor Brown-Tracy, that this matter be Recommended for a Resolution.**

**The motion carried unanimously**

**2009-0117      Parks and Recreation Program/Service Pricing Contract****Not Discussed**

*Due to illness, Director of Parks and Recreation John Silsby was not able to attend the meeting. The Town Manager asked that this item be tabled.*

**2008-0282      Town Departmental Structure****Discussed**

*Town Manager Oefinger explained that when the new Charter was adopted, there were a number of follow up items identified by the Charter Revision Committee. Since the Charter no longer addresses departmental structure, departmental structure will be identified, and modified when necessary, outside of the Charter. Councilors received organizational charts showing the structure as proposed in the FYE 2010 budget. There has been no attempt to propose any major reorganization. The purpose of distributing the charts is to solicit comments from the Council.*

*Councilor O'Beirne asked Councilors to consider separating the Economic Development Specialist position, and function, from the Office of Planning and Development and Services, and having it report directly to the Town Manager.*

*Councilors were happy with the overall approach. Councilor O'Beirne noted that the charts are exactly what the Charter Revision Committee had in mind when the Charter was revised. Discussion followed on creating a booklet including a brief narrative for each department, such as what is in the Official Statement.*

**2009-0111      Fire Districts PILOT Program****Discussed**

*Town Manager Oefinger noted that PILOTs to the fire districts have not changed in approximately 10 years. During budget deliberations, there was some discussion about the Town-wide fire assessment and motivating the fire districts to participate in that effort. The Manager provided a brief history of the attempt to conduct a Town-wide assessment of the fire departments. Fire District Boards started to meet on a recurring basis. At this point, the Town provides PILOT funds with no strings attached. The Town Manager still feels that a Town-wide fire assessment, and there is a role for the Town to play to ensure that there is adequate Town-wide coverage. Originally, the Town Manager's desire was to have the fire chiefs and fire districts control of the study effort, but it did not happen. Councilor Sheets asked if decentralization has led to duplication of equipment or failure to have appropriate equipment. The Town Manager stated that answering that question would be one of the purposes of the assessment. Discussion followed on the how to proceed. Councilor Schmidt questioned training requirements. The consensus of the Council was to support the Town Manager's recommendation that prior to finalizing a particular strategy or action, the Council reach out to the Fire District Committee that is currently meeting to discuss items of mutual interest between the districts.*

**2009-0123      Non-Resident Taxpayer Voting Authorization**

**Discussed**

Councilor O'Beirne explained this issue, which came to light during the Charter revisions process. In the past, non-resident property owners have been allowed to vote on bond referendums, however there is no formal policy in place. Councilor Sheets suggested that since there is no budget referendum in Groton, she would support a resolution authorizing non-residents to be able to vote for everything put to a public vote. Councilors O'Beirne and Kolnaski said they would object to such a proposal. Councilor Sheets withdrew her statement, noting that she believes that there are domicile requirements that will determine the issue. Councilor Flax feels there are some issues that non-residents should be able to vote on and it should be decided on a case by case basis. Councilor Schmidt objected to allowing non-residents to vote and Mayor Watson and Councilor Kolnaski agreed. Councilor Brown-Tracy stated she is undecided. Councilor Sheets asked for public input on the issue. Councilor O'Beirne asked for opinions from other places that do or don't allow it.

**2009-0124****Ethics Ordinance****Discussed**

Councilors noted previous efforts to establish an ethics ordinance. Assistant to the Town Manager Lee Vincent objected to involving lawyers in an ethics process. He noted that the Town has been following the state's efforts and he will provide an update on that effort. Councilor Sheets suggested that the Town can proceed with its own effort; the state was developing something for towns that do not have an ordinance. Mr. Vincent's suggested seeking university or academic consultation.

**2009-0125****Eastern Point School Property Lease****Discussed**

*(This item was considered out of agenda order.)* Town Manager Oefinger explained that the draft lease has been reviewed by the Town Attorney. The purpose of having this item on the agenda is to make sure that the general terms and conditions are acceptable to the Town Council. The Manager reminded the Council that they had the option of entering into executive session.

**A motion was made by Councilor Kolnaski, seconded by Councilor Brown-Tracy, to enter executive session at 6:20 p.m. to discuss 2009-0125 Eastern Point School Property Lease, and to invite the Town Manager to attend.**

**The motion carried by the following vote:**

**Votes:** In Favor: 5 - Mayor Watson, Councilor Brown-Tracy, Councilor Flax, Councilor Kolnaski and Councilor Schmidt

Opposed: 2 - Councilor O'Beirne, Jr. and Councilor Sheets

**Discussed**

*The executive session concluded at 7:12 p.m.*

Town Manager Oefinger reviewed the Town Attorney's comments on the draft lease, noting a number of items be clarified such as what the property will be used for; the length of the lease (50 years); the terminology in Section 17 b.; identification of the parcel in parts; the construction schedule; and the number of seats for Groton residents.

Doreen Marvin from LEARN addressed the issues raised by the Town Attorney. She noted that LEARN's proposal is to construct a Marine Science High School that includes three curriculum strands - marine technologies (on- and off-site); marine aquaculture (on-site); and marine science and environmental stewardship (on- and off-site).

The length of the lease was initially proposed at 99 years, but was reduced to a random number of 50. LEARN would be comfortable with a lower number with renewal options. The state requires a 20-year minimum lease and commitment to use the facility as a school.

*Ms. Marvin will ask LEARN's attorney to look at the language in 17 b. and to address the Town Attorney's comments.*

*With respect to parcel identification, designating Parcel A and Parcel B was a way to identify the non-school related property that will not be developed in association with the high school, but LEARN has no objection to addressing the issue. LEARN's construction schedule is ambitious. The goal is to have students in the building in September 2011, which creates a tight time frame considering the regulatory procedural requirements. It is anticipated that the State Department of Education will review the plans in late June.*

*Ms. Marvin anticipates that when the school is fully operational, there will be 250 students. Magnet school legislation requires a governance agreement and individual towns' boards of education determine how many seats they will support. The governance agreement seats are filled with a lottery system. Then, an additional lottery is held for parent choice seats if any are seats left. The specific goals of a magnet school require the right number of children from the right districts to create a racial and ethnic balance. The best guess for Groton is that there will be at least 10 seats available; however, the Board of Education can choose to support fewer seats. "Support" from Groton includes transportation and tuition payments.*

*Discussion followed on potential conflicts between a proposed geothermal system and other potential uses on Parcel B.*

## **6. ADJOURNMENT**

*A motion was made by Councilor Kolnaski, seconded by Councilor Flax, to adjourn the meeting at 8:25 p.m.*

*The motion carried unanimously.*